

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:24-cv-00100

**David G. Humphries,**  
*Plaintiff,*

v.

**Merrick Garland et al.,**  
*Defendants.*

**ORDER**

Plaintiff David Humphries, proceeding pro se, filed this lawsuit against defendants on March 18, 2024. Doc. 1. This case was referred to United States Magistrate Judge John D. Love. Doc. 3. On September 30, 2024, the magistrate judge issued a report recommending that plaintiff's complaint be dismissed without prejudice for failure to timely serve defendants in compliance with Federal Rule of Civil Procedure 4 and for failure to comply with a court order. Doc. 13. Plaintiff consented to electronic service (Doc. 6) and thus received the court's report and recommendation by electronic notice through the court's CM/ECF filing system when the report was docketed on September 30, 2024. Plaintiff did not file objections to the report, and the timeframe for doing so has passed.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation (Doc. 13). Plaintiff's complaint is dismissed without prejudice for failure to timely serve defendants in compliance with Federal Rule of Civil Procedure 4 and for failure to comply with a court order. Any pending motions are denied as moot.

*So ordered by the court on February 7, 2025.*

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER  
United States District Judge